

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE ART AND ANTIQUE DEALERS LEAGUE OF
AMERICA, INC. and THE NATIONAL ART AND
ANTIQUÉ DEALERS ASSOCIATION OF AMERICA,
INC.,

Plaintiffs,

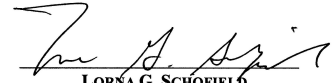
--against--

BASIL SEGGOS, IN HIS OFFICIAL CAPACITY AS
THE COMMISSIONER OF THE NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL
CONSERVATION,

Defendant.

So Ordered.

Dated: July 10, 2025
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

18-CV-02504 (LGS)

~~[PROPOSED]~~ ORDER

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on November 13, 2024, the United States Court of Appeals for the Second Circuit reversed this Court's grant of summary judgment to Defendant on Plaintiffs' constitutional claim and remanded the case for further proceedings;

WHEREAS, on June 5, 2025, the Court ordered the parties to file a proposed order consistent with the Second Circuit's ruling in *The Art and Antique Dealers League of Am., Inc., et al., v. Seggos*, 121 F.4th 423 (2d Cir. 2024). *See* Dkt. No. 111.

It is hereby

ORDERED that, for the reasons stated in the opinion of the United States Court of Appeals for the Second Circuit dated November 13, 2024, Case No. 21-569, Document 124-1, 121 F.4th 423, Defendant Amanda Lefton, in her official capacity as the Commissioner of the New York State Department of Environmental

Conservation, and Defendant's officers, agents, affiliates, servants, successors, employees, and all other persons in active concert or participation with Defendant, is **PERMANENTLY ENJOINED** from enforcing the Department of Environmental Conservation's condition on licenses issued pursuant to N.Y. Env'tl. Conserv. Law § 11-0535-a(2) titled "Ivory and Horn—Displaying items for sale in New York State—Prohibition," known as the "Display Restriction," against Plaintiffs The Art and Antique Dealers League of America, Inc. and The National Antique and Art Dealers Association of America, Inc., and their members. Nothing in this Order shall prohibit the Department of Environmental Conservation from imposing any other conditions on the issuance of licenses for the sale of ivory in the future, so long as such conditions comply with the above referenced opinion of the United States Court of Appeals for the Second Circuit, as well as any other applicable law. It is further

ORDERED that, within 30 days of entry of this Order, Plaintiffs shall file a motion for attorney's fees, if any.

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE